## IV. REMARKS

1. Claims 1-21 remain in the application. Claims 1-21 have been amended.

2. The Abstract of the Disclosure has been amended to comply with MPEP 608.01(b).

3. Claims 1, 2, 6, 7, 16, 17, and 21 have been amended to overcome the rejections under 35 USC 112, second paragraph.

3.1 Regarding claims 7 and 17, these claims have been amended to overcome any antecedent basis objections. However, Applicants respectfully submit that the term "WAP protocol" would be known to one skilled in the art. *Newton's Telecom Dictionary,* (CMP Books, 18th edition, 2002) defines "WAP" as Wireless Application Protocol, and explains that this is a carrier independent transaction oriented protocol for wireless data networks. Copies of the pertinent pages of this publication are attached hereto. Thus, Applicants respectfully submit that the scope of claims 7 and 17 is clear because the term would have been known in the art at the time of the invention.

4. Applicants respectfully submit that claims 1-21 are not anticipated by Bloebaum et al. (US 6,433,735, "Bloebaum").

Bloebaum fails to disclose or suggest selecting transmitted position data about a reference point located in the vicinity of a wireless device as the default position of the wireless device, as recited by claims 1, 11, and 21.

Bloebaum discloses a mobile terminal and a system and a method for determining its geographic location. A current cell

10

identification number is determined for a cell in which the mobile terminal is located. The geographic location of the mobile terminal is determined, based on data including at least one geographic position stored in a database and associated in the database with data representing the current cell identification number. The database may be updated with the geographic location and the current cell identification number as stated in the abstract.

A database in a terminal or in a server is disclosed (Figs 1 and 2). Figures 5 and 6 show checking a database of a terminal first for an ID and a corresponding location. If the information is not in the terminal database, it is requested from the server. The data indicating the current cell in which the mobile terminal is positioned and the use of this data as aiding data is disclosed in column 2, lines 56 to 60. Also, a location server in the radio network for providing aiding data is also disclosed (see column 2, lines 56 to 57). A satellite positioning system is shown in Figures 1 and 2.

However, Bloebaum fails to disclose using a position of a reference point located in the vicinity of a wireless device as a position of the wireless device. Bloebaum only discloses using geographic positions associated with cell identifications aiding data for another, more accurate positioning system, like the GPS. The position data is provided so that signals from a processing satellite may be acquired by the mobile terminal in difficult radio propagation environments (column 2, lines 65-67). Bloebaum requires a satellite positioning system receiver in the terminal.

This is in contrast with the present invention, where a satellite receiver is not necessary because a position of a

11

reference point is selected as the position of the receiver. (Also note that Bloebaum has no disclosure related to Internet servers which are not located in the radio network.)

At least for these reasons, Applicants respectfully submit that independent claims 1, 11, and 21, and dependent claims 2-10 and 12-20 are not anticipated by Bloebaum.

5. Applicants respectfully submit that claims 1-21 are not anticipated by Koshima et al. (US 2001/0036833, "Koshima").

Koshima, like Bloebaum, fails to disclose or suggest selecting transmitted position data about a reference point located in the vicinity of a wireless device as the default position of the wireless device, as recited by claims 1, 11, and 21.

Koshima discloses a position detection system of a mobile terminal including a small zone communication system (50) such as the PHS system, and a center station (1) connected to an exchange station (2) forming the PHS system. When a call is dispatched from the center station to the telephone number of a mobile station (7), whose position is to be identified, the call signal is transmitted to a repeater (6) located closest to the mobile station (7) via exchange stations (2, 4) and main lines (3, 5) forming the PHS system (50). Since the mobile station (7) can identify the identification number of the closest repeater (6), the position of the repeater (6) can be identified by referring to the data base of the PHS system (50) using the repeater database provided in a center control station (51). The position can be displayed on a CRT screen at the center station (1) side. A position detection apparatus of a mobile terminal that can detect a position at low cost and at high accuracy is provided, as stated in the abstract.

12

Koshima relates to repeaters which repeat the signal from some base stations. The repeater does not inform its position to the terminal. The repeater only forwards the signal of a base station and only expands the cover area of the cell. Moreover, the repeater is used for short range area.

Thus, Koshima fails to disclose or suggest transmitting at least position data about a reference point located in the vicinity of the wireless communication device to the wireless communication device. In Koshima, the mobile device only determines an identification number of a repeater. Position data of a reference point is not transmitted to the mobile device. Koshima further fails to disclose or suggest selecting the transmitted position data about the reference point as the default position of the wireless communication device. Because position data is not transmitted to the mobile device, the transmitted information cannot be used to as a position of the device.

At least for these reasons, Applicants respectfully submit that independent claims 1, 11, and 21, and dependent claims 2-10 and 12-20 are not anticipated by Koshima.

6. The present invention is advantageous over Bloebaum and Koshima for the following reasons:

It is an aim of the present invention to provide an improved positioning method and a positioning receiver in which, as the default location for the positioning receiver, the location of a known reference point is used, which can be detected in a data base, or the like. The database is preferably arranged in a data network, such as the Internet network and/or a mobile communication network. Moreover, the positioning data of one or

13

a plurality of reference points can be stored in an electronic device comprising a positioning receiver.

The invention is based on the idea that, as the default position of the electronic device, the position of such a reference point is used, whose position is known. This position of the reference point is stored in the database, wherein this positioning data is retrieved from the storage location to the electronic device. If the positioning data is not stored in the electronic device, it may be retrieved at the time the positioning is to be performed. As a result, there is no need for a positioning receiver, that is a receiver that receives position information from a system such as the GPS system. In the present invention, a position of the terminal may be determined directly from the information in the database.

More precisely, a method according to the present invention includes storing position data of one or more reference points in at least one data base, examining which of said one or more reference points is located in the vicinity of the wireless communication device, transmitting at least position data about said reference point located in the vicinity of the wireless communication device to the wireless communication device, and selecting a position of said reference point located in the vicinity of the wireless communication device as the default position of the wireless communication device.

A positioning system according to the present invention includes at least one data base for storing one or more reference points, means for detecting which of said one or more reference points is located in the vicinity of the wireless communication device, and means for transmitting position data of the reference point located in the vicinity of said wireless communication device to

the wireless communication device. The reference point in the vicinity of the wireless communication device is arranged to be selected as the default position of the wireless communication device.

An electronic device according to the present invention includes positioning means, means for performing functions of a mobile communication device, means for detecting which of a number of reference points stored in a data base of the positioning system is located in a vicinity of the electronic device, means for receiving position data of the reference point located in the vicinity of the wireless communication device, and means for selecting the reference point located in the vicinity of said wireless communication device as the default position of the wireless communication device.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of $110.00 is enclosed for a one month extension of time.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.
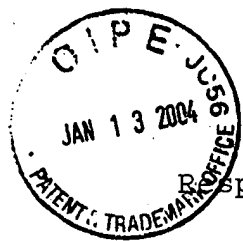
Respectfully submitted,

_____   _____
Joseph N. Gamberdell, Jr.            Date 1/9/2003
Reg. No. 44,695

Perman & Green, LLP
425 Post Road
Fairfield, CT   06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United
States Postal Service on the date indicated below as first class mail in an
envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria
VA 22313-1450.

Date: 1/9/04          Signature: _____
                                      Person Making Deposit

16

# NEWTON'S TELECOM DICTIONARY

## The Authoritative Resource for Telecommunications, Networking, the Internet and Information Technology

**MORE THAN 20,000 TERMS DEFINED**

**18th** Updated and Expanded Edition
by Harry Newton

CMP*Books*

**NEWTON's TELECOM DICTIONARY**
copyright © 2002 Harry Newton
email: Harry@HarryNewton.com
personal web site: www.HarryNewton.com
business web site: www.TechnologyInvestor.com

For individual orders, and for information on special discounts for quantity orders,
please contact:

This book is also sold through www.Amazon.com, www.Fatbrain.com and
www.BarnesAndNoble.com

Distributed to the book trade in the U.S. and Canada by Publishers Group West
1700 Fourth St., Berkeley, CA 94710

Manufactured in the United States of America

# War Dialer

transaction to be completed.

standard allows a PC to be powered on by a network server, so
tine tasks. See WFM.

jine your PC receiving an important email, then waking you and
s bizarre. But someone is predicting it.

A direct dial WATS line, as compared to a WATS line connected

who walk away from coin phones though they owe extra
ie that has just been visited by a walkaway: It's typically ring-
it, the operator will ask you to deposit some additional coins.
d-held radio transmitter and receiver. Like the police carry.
evice in telecom. You walkie, you talkie.

rt Computer System Development, a peer review of a system
is to identify errors as early as possible and learn from other
jers and people who prepare performance reviews should NOT
is to invite "egoless" constructive criticism and to nurture team-
ug responsibility.

i formal tour and accompanying verbal description of the work
istomer and the vendors.

quired to transfer permission to poll from one station to another.
ling system used for attaching an antenna mast to a building

outlet positioned at shoulder height to accept a wall telephone
includes a special modular jack containing two mounting boss-
slots in the base of the telephone set. Electrical connection is
ug element that is integral to the telephone set base.
that is mounted on the wall. Where else would a wall phone
iones — especially some key systems — come so you can
nount them on a wall, without extra hardware. Some desk
on a wall. This is a disadvantage when you run out of space
ith all the computers and workstations you'll be putting there.
rm expressing the thickness of a layer of applied insulation or

i common ac to dc adaptor that plugs into a wall socket. Often

i-making, a "walla walla scene" is one where extras pretend
und-they are not, they are just repeating "walla walla" over
hey say "walla walla" it looks like they are actually holding
Monday morning meetings at work.)

definition varies. One definition is that Web technology and
roviding content, but users cannot access the Web directly.
ed garden referring to a service or content that is exclusive to
beyond the wall into other services and content on the Web.
it has fallen out of favor with investors.

your Windows desktop on your PC behind and around your
ir and pattern you put on it through the desktop manager is

i emails you receive on your wireless device — cellphone or
stant.

A public voice or data network that extends beyond the met-
Area Network) generally is confined to a building or campus
by the end user organization. A MAN (Metropolitan Area
that covers a metropolitan area, which may extend beyond
extends farther, perhaps even internationally. Some people

elements, perhaps affecting the data payload. It is especially important to control wander
in very speed networks, such as SONET, where even slight synchronization failures can be
catastrophic. Wander variations are usually considered to be those that occur over a period
greater than 1 second. See also Diurnal Wander.

**WANMC** West Area Network Management Center WANS: Western Area Network
Service Center WARC: World Administrative Radio Conference. An international conference
called by the ITU-R (formerly CCIR), focused on international agreements concerning
Spectrum Allocation. The most recent meeting was February, 1992, in Spain.

**WAP** Wireless Application Protocol is a carrier-independent, transaction-oriented protocol
for wireless data networks, designed for all type networks, but initially to be implemented
on GSM networks. WAP version 1.1 was released in June, 1999. WAP will be included in
a new generation of cell phones from major manufacturers such as Nokia, Ericsson and
Motorola. Such phones will sport larger screens and a rolling mouse (like a normal com-
puter mouse, except it only scrolls up and down, not side to side). The best way to think
of WAP is a visual interactive computer telephony voice response system. Essentially you
dial a distant WAP server (i.e. computer) through the mobile network. When you reach the
server you log on and "do your business." That "do your business" might consist of figur-
ing out how much money you have in the bank, checking the price of your stocks, book-
ing an airline reservation, etc. You can get this information in several ways — through the
expanded screen on your WAP cell phone, through a voice response unit from the other end
(punch 1 for this, hear the response, etc.) or a combination of the two. The WAP protocol
contains security, transaction handling, byte coding and encryption. What this means is that
your "conversation" with the WAP server is secure. WAP users typically must register with
their WAP server and be authenticated when they log on. What it also means is that the
session the server holds with the user is a dedicated point-to-point session, unlike the
Internet where sessions are shared. WAP will also get you to the Internet through a "WAP
gateway." But the session doesn't typically have the security that a WAP session does.
The original thinking on WAP was not only to let users access data electronically and voice
mail, make stock trades, conduct banking transactions and view miniature Web pages on
a wireless terminal's LCD screen, but also to make it easier for mobile users to view shrunk-
en Web pages using Unwired Planet's Handheld Device Markup Language (HDML).
According to Unwired Planet (now called Phone.com), HDML "lets Web sites tailor the
information format to fit the screen of the phone. We don't try to display the graphical Web
pages on such a small device," rather, Webmasters could create smaller versions of sites
more suitable for viewing on such units. With WAP, those modifications and optimizations
would only have to be made once in order to be viewed on an Ericsson, Motorola or Nokia
terminal, Unwired Planet's technology, called UP.Link, is used by AT&T's PocketNet and
GTE Wireless services. Bell Atlantic also offers cellular digital packet data-based services
combined with UP.Link. Al Haase, director of sales, GSM, at Ericsson's North American
headquarters in Richardson, Texas, acknowledged that although the demand for receiving
this kind of information in a wireless format is not great today, agreement on a standard
may nudge wireless access deeper into the mainstream. "The systems were not designed
to support data, and thus data transmission speeds are fairly low, " Hasse said. "With the
new systems coming online, data access becomes more of a reality because we are more
able to link the mobile user with the Net in a timely way."
The success of WAP will depend, on my opinion, on two things: First, the speed at which
data can be made to pass across a GSM network. Second, the ability of companies such
as Sweden's Nocom to evangelize the standard to WAP server providers. Note that
DoCoMo has introduced a highly successful i-Mode (internet-Mode) service in Japan. i-Mode
is a proprietary system that is not compatible with WAP. See also CDMA2000, i-Mode, and
Wireless Application Protocol Forum Ltd.

**WAP F rum** An industry association dedicated to ensuring product interoperability
and growth of the wireless market. Emphasis, of course, is on WAP (Wireless Application
Protocol), which the WAP Forum developed as a de facto standard. The WAP Forum com-

a range of telephor
er; the IT security st
their network or ha
**War R m** Als
used for decision- o
**Warble Tone**
of warbling. A warb
**WARC** World A
before Telecom '8;
mobile (satellite tc
maps for your car)
Union. ITU-T is part
**Warez** Warez (|
made available to i
the pirate has figur
by the software. Th
warez sites sometir
**Warh l W r**
oretically infect ever
from the fact that i
15 minutes in their
**Warm Stand**
**Warm Start**
"soft boot"); press
**Warm Swap**
be replaced withou
pended, however. /
tem remains active
**Warranty** Spi
Usually does not in
not include equipm
tional means. Light
**WAS** Wireless Ac
**Washingt n**
attributed to John I
**WASI** Wide Area
**WASO** Western /
**WASP** Wireless
maintain application
wireless links to
Application Service
**WAT Dat** A te
of the promised de
ing, so any proble
tomer's premises.
**Watch C mn**
to "watch" the val
(e.g., see the last-
**Watchd g Ti**
in later versions of I
is running, it sends
for example reboot
useful peripheral th
n 16 hit rinnle cou